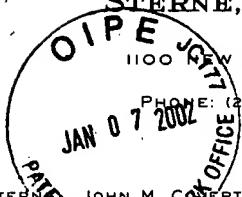


STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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*LIMITED TO MATTERS
 AND PROCEEDINGS BEFORE
 FEDERAL COURTS & AGENCIES
 **REGISTERED PATENT AGENT
 ***SENIOR COUNSEL

January 7, 2002

WRITER'S DIRECT NUMBER:
 (202) 371-2544
 INTERNET ADDRESS:
 MCIMBALA@SKGF.COM

Commissioner for Patents
 Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application
 Appl. No. 09/943,084; Filed: August 31, 2001
 For: **Prolonged Delivery of Peptides**
 Inventors: Kim *et al.*
 Our Ref: 1658.0020003/MAC/MBT

Sir:

In reply to the Notice to File Missing Parts of Application--Filing Date Granted and Notice to Comply with Sequence Rules dated **October 5, 2001**, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
3. Copy of the Notice to File Missing Parts;
4. Request to Open a New Disk File
5. An original executed Power of Attorney from Assignee;
6. Certificate Under 37 C.F.R. § 3.73(b);
7. One (1) return postcard;

Commissioner for Patents
January 7, 2002
Page 2

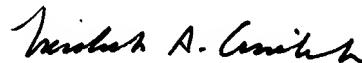
8. Our Check No. 33758 for \$1,916.00 to cover:
 \$ 740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16); and
 \$1,176.00 Fee for Excess Claims (37 C.F.R. § 1.16); and
9. Our Check No. 33761 for \$240.00 to cover:
 \$110.00 Extension Fee Under 37 C.F.R. § 1.136; and
 \$130.00 Late Surcharge for Filing Fee.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

MAC/MBT/lam
Enclosures

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kim, et al.

Appl. No. 09/943,084

Filed: August 31, 2001

For: **Prolonged Delivery of Peptides**



Confirmation No. 7681

Art Unit: 1646

Examiner: To Be Assigned

Atty. Docket: 1658.0020003/MAC/MBT

Request to Open New Disk File

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants request that a new disk file be opened for the above-cited application.

The Sequence Listing disk submitted on **July 1, 1994** in the parent, Application No. **08/181,655**, filed **January 25, 1994** contains the identical sequence information as that in the present application and contains no new matter.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala
Michele A. Cimbala
Attorney for Applicants
Registration No.33,851

Date: January 7, 2002
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

P:\USERS\MTUNG\1658\0020003\sequence listing



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/943,084	08/31/2001	Yesook Kim	1658.0020003/MAC/SEZ <i>mBT</i>

26111
 STERNE, KESSLER, GOLDSTEIN & FOX PLLC
 1100 NEW YORK AVENUE, N.W., SUITE 600
 WASHINGTON, DC 20005-3934

CONFIRMATION NO. 7681

FORMALITIES LETTER



OC00000006859406

Date Mailed: 10/05/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1144.
 - \$504 for 28 total claims over 20.
 - \$640 for 8 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1984.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

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09/00000006859406

BRIEF

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 03:00:00

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

JAN 01 2002
U.S. PATENT & TRADEMARK OFFICE

TOTAL AMOUNT OF PAYMENT (\$2,156.00)

Complete if Known

Application Number	09/943,084
Filing Date	August 31, 2001
First Named Inventor	Yesook Kim
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1658.0020003/MAC/MBT

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																																																																																						
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number 19-0036 Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C. <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th colspan="3"></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>110.00</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>Total Claims 48</td><td>- 20** = 28</td><td>X 18.00</td><td>= 504.00</td><td></td><td></td></tr> <tr><td>Indep. Claims 11</td><td>- 3** = 8</td><td>X 84.00</td><td>= 672.00</td><td></td><td></td></tr> <tr><td>Multiple Dependent</td><td>0</td><td></td><td>= 0.00</td><td></td><td></td></tr> <tr> <td colspan="2" style="padding: 10px;"> Large Entity Fee (\$) Small Entity Fee Code (\$) Fee Description </td> <td colspan="5" style="padding: 10px;"> Fee Description Fee Paid </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> 103 18 203 9 Claims in excess of 20 </td> <td colspan="5" style="padding: 10px;"> 123 130 123 130 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> 102 84 202 42 Independent claims in excess of 3 </td> <td colspan="5" style="padding: 10px;"> 126 180 126 180 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> 104 280 204 140 Multiple dependent claim </td> <td colspan="5" style="padding: 10px;"> 581 40 481 40 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> 108 84 209 42 **Reissue independent claims over original patent </td> <td colspan="5" style="padding: 10px;"> Recording each patent assignment per property (times number of properties) </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> 110 18 210. 9 **Reissue claims in excess of 20 and over original patent </td> <td colspan="5" style="padding: 10px;"> 146 740 246 370 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> SUBTOTAL (1) (\$ 740.00) </td> <td colspan="5" style="padding: 10px;"> Filing a submission after final rejection (37 CFR 1.129(a)) </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> SUBTOTAL (2) (\$ 1,176.00) </td> <td colspan="5" style="padding: 10px;"> 149 740 249 370 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> ** or number previously paid, if greater; For Reissues, see above </td> <td colspan="5" style="padding: 10px;"> For each additional invention to be examined (37 CFR 1.129(b)) </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> SUBTOTAL (3) (\$ 240.00) </td> <td colspan="5" style="padding: 10px;"> 179 740 279 370 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> Reduced by Basic Filing Fee Paid </td> <td colspan="5" style="padding: 10px;"> Request for Continued Examination (RCE) </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> Other fee (specify): </td> <td colspan="5" style="padding: 10px;"> 169 900 169 900 </td> </tr> <tr> <td colspan="2" style="padding: 10px;"> Other fee (specify): </td> <td colspan="5" style="padding: 10px;"> Request for expedited examination of a design application </td> </tr> </tbody> </table>					Large Entity	Small Entity				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid	105	130	205	65	Surcharge - late filing fee or oath	130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month	110.00	116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		Total Claims 48	- 20** = 28	X 18.00	= 504.00			Indep. 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SUBTOTAL (2) (\$ 1,176.00)		149 740 249 370																																																																																																																																																																																																																																																																						
** or number previously paid, if greater; For Reissues, see above		For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																						
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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Michele A. Cimbala	Registration No. (Attorney/Agent)	33,851	Telephone	202-371-2600
Signature	<i>Michele A. Cimbala</i>			Date	Jan. 7, 2002

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